## Exhibit 72 Nicolas Gicinto Deposition Excerpts



COURT REPORTING

LEGAL VIDEOGRAPHY

VIDEOCONFERENCING

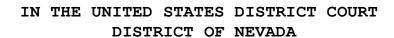
TRIAL PRESENTATION

MOCK JURY SERVICES

LEGAL TRANSCRIPTION

COPYING AND SCANNING

LANGUAGE INTERPRETERS



TESLA, INC.,

Plaintiff,

VS.

No.3:18-CV-00296-LRH-CBC

MARTIN TRIPP,

Defendant.





DEPOSITION AND TRIAL



(800) 528-3335

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CONFIDENTIAL

**DEPOSITION OF** 

NICHOLAS RYAN GICINTO

TAKEN ON TUESDAAY, AUGUST 27, 2019 9:58 A.M.

HOME2SUITES CONFERENCE CENTER
2001 MAIN STREET
KANSAS CITY, MISSOURI 64108
MSJ\_855

1 Α. I mean, so you Google a name, right, 2 there's going to be links. You want to click on 3 those links, you want to see what the information is. Sometimes it's relevant to you, sometimes it's 5 not, so you have to sort through, sift through and filter that. You have to compile it in a way that actually makes sense, so if you see there's 20, 20 7 links that pertain to the individual, the subject of 9 the report, you have to organize that information so 10 it makes sense. You -- sometimes you synthesize it. 11 Sometimes there's analysis. Not usually in a report 12 like this because it's just open source information 13 but this is a very common industry standard practice 14 when you're just trying to understand what's 15 publically available. You know, I mentioned earlier 16 that we were aware that Mr. Tripp had tried to sell 17 a guitar. 18 BY MR. FISCHBACH: 19 And a weapon? 20 And a weapon saying that he was planning 21 to move overseas. Well, the weapon, we learned about that from an interview with someone at the 23 Gigafactory. We learned online that he had 24 attempted to sell some firearms-related material. 25 don't think it was a firearm specifically. But a

guitar specifically saying he didn't want to part 1 with it, I think, but he's moving overseas. So that 2 3 type of information comes up and that gives you -that helps an investigation to provide context about 5 who the person is, maybe atmospherics is a term we use about what's going on in their life, you kind of 7 know just who the person it. 8 Another great word: Atmospherics. When you say firearm-related components what do you mean, 10 magazines, carrying cases? 11 Yeah, I don't remember specifically what 12 it was but it was something that maybe a holster or something like that. I don't specifically remember. 13 14 I mean, we -- I think in the report there was also 15 an example of him on a coding website where he was 16 talking about his coding abilities where he had done 17 some coding work. We saw that as well. So that 18 helped us have background to know that he was fairly sophisticated at coding in fact, not a beginner as 19 20 he claimed to be. So that is useful because when 21 you interview someone it allows you to get a baseline of whether or not they are providing you 23 truthful statements. 24 (Deposition Exhibit 9 was marked for identification.) 25

1	CERTIFICATE
2	
3	I, Terri L. Huseth, do hereby certify that
4	I reported all proceedings adduced in the foregoing matter
5	and that the foregoing transcript pages constitutes a
6	full, true and accurate record of said proceedings to the
7	best of my ability.
8	
9	I further certify that I am neither related
10	to counsel or any party to the proceedings nor have any
11	interest in the outcome of the proceedings.
12	
13	IN WITNESS HEREOF, I have hereunto set my
14	hand this 4th day of September, 2019.
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17	Terri L. Huseth
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